

Calendar No. 715

115TH CONGRESS
2D SESSION

S. 1942

[Report No. 115–411]

To direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 5, 2017

Ms. HEITKAMP (for herself, Mr. TESTER, Mr. FRANKEN, Mr. HEINRICH, Mr. MERKLEY, Ms. WARREN, Ms. CORTEZ MASTO, Mr. WYDEN, Ms. MURKOWSKI, Ms. COLLINS, Ms. KLOBUCHAR, Mr. TILLIS, Ms. SMITH, Ms. CANTWELL, Mr. UDALL, Mr. SCHATZ, Mrs. MURRAY, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

DECEMBER 4, 2018

Reported by Mr. HOEVEN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as “Savanna’s Act”.

3 **SEC. 2. FINDINGS AND PURPOSES.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) On some reservations, Indian women are
6 murdered at more than 10 times the national aver-
7 age.

8 (2) American Indians and Alaska Natives are
9 2.5 times as likely to experience violent crimes—and
10 at least 2 times more likely to experience rape or
11 sexual assault crimes—compared to all other races.

12 (3) More than 4 in 5 American Indian and
13 Alaska Native women, or 84.3 percent, have experi-
14 enced violence in their lifetime.

15 (4) According to the Centers for Disease Con-
16 trol and Prevention, homicide is the third leading
17 cause of death among American Indian and Alaska
18 Native women between 10 and 24 years of age and
19 the fifth leading cause of death for American Indian
20 and Alaska Native women between 25 and 34 years
21 of age.

22 (5) According to a 2010 Government Account-
23 ability Office report, United States Attorneys de-
24 clined to prosecute nearly 52 percent of violent
25 crimes that occur in Indian country.

1 (6) Investigation into cases of missing and mur-
2 dered Indian women is made difficult for Tribal law
3 enforcement agencies due to a lack of resources;
4 such as—

5 (A) necessary training, equipment, or
6 funding;

7 (B) a lack of interagency cooperation; and

8 (C) a lack of appropriate laws in place.

9 (7) The complicated jurisdictional scheme that
10 exists in Indian country—

11 (A) has a significant negative impact on
12 the ability to provide public safety to Indian
13 communities;

14 (B) has been increasingly exploited by
15 criminals; and

16 (C) requires a high degree of commitment
17 and cooperation among Tribal, Federal, and
18 State law enforcement officials.

19 (b) PURPOSES.—The purposes of this Act are—

20 (1) to clarify the responsibilities of Federal,
21 State, Tribal, and local governments with respect to
22 responding to cases of missing and murdered Indi-
23 ans;

1 (2) to increase coordination and communication
2 among Federal, State, Tribal, and local law enforce-
3 ment agencies;

4 (3) to empower Tribal governments with the re-
5 sources and information necessary to effectively re-
6 spond to cases of missing and murdered Indians;
7 and

8 (4) to increase the collection of data related to
9 missing and murdered Indian women and the shar-
10 ing of information among Federal, State, and Tribal
11 officials responsible for responding to and inves-
12 tigating cases of missing and murdered Indians.

13 **SEC. 3. DEFINITIONS.**

14 In this Act:

15 (1) **FEDERAL DATABASES.**—The term “Federal
16 databases” means—

17 (A) the National Crime Information Center
18 database;

19 (B) the Combined DNA Index System;

20 (C) the Integrated Automated Fingerprint
21 Identification System;

22 (D) the Violent Criminal Apprehension
23 Program;

24 (E) the National Missing and Unidentified
25 Persons System; and

1 (F) other Federal databases relevant to re-
 2 sponding to cases of missing and murdered In-
 3 dians.

4 (2) INDIAN.—The term “Indian” means a
 5 member of an Indian Tribe.

6 (3) INDIAN COUNTRY.—The term “Indian coun-
 7 try” has the meaning given the term in section 1151
 8 of title 18, United States Code.

9 (4) INDIAN TRIBE.—The term “Indian Tribe”
 10 has the meaning given the term in section 4 of the
 11 Indian Self-Determination and Education Assistance
 12 Act (25 U.S.C. 5304).

13 (5) LAW ENFORCEMENT AGENCY.—The term
 14 “law enforcement agency” means a Tribal, Federal,
 15 State, or local law enforcement agency.

16 **SEC. 4. IMPROVING TRIBAL ACCESS TO FEDERAL CRIME**
 17 **INFORMATION DATABASES.**

18 (a) TRIBAL ENROLLMENT INFORMATION.—Not later
 19 than 30 days after the date of enactment of this Act, the
 20 Attorney General shall update the online data entry for-
 21 mat for Federal databases to include a new data field for
 22 users to input the victim’s Tribal enrollment information
 23 or affiliation, as appropriate.

24 (b) CONSULTATION.—

1 (1) INITIAL CONSULTATION.—Not later than
 2 120 days after the date of enactment of this Act, the
 3 Attorney General, in cooperation with the Secretary
 4 of the Interior, shall complete a formal consultation
 5 with Indian Tribes on how to further improve Tribal
 6 data relevance and access to Federal databases,
 7 which shall also inform the development of law en-
 8 forcement and justice protocols under section 5(a).

9 (2) ANNUAL CONSULTATION.—Section 903(b)
 10 of the Violence Against Women and Department of
 11 Justice Reauthorization Act of 2005 (34 U.S.C.
 12 20126) is amended—

13 (A) by striking paragraph (2) and insert-
 14 ing the following:

15 “(2) enhancing the safety of Indian women
 16 from domestic violence, dating violence, sexual as-
 17 sault, homicide, stalking, and sex trafficking.”;

18 (B) in paragraph (3), by striking the pe-
 19 riod at the end and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(4) improving access to local, regional, State,
 22 and Federal crime information databases and crimi-
 23 nal justice information systems.”.

24 (c) REPORT.—Not later than 1 year after the date
 25 of enactment of this Act, the Attorney General shall pre-

1 pare and submit a report to the Committee on Indian Af-
 2 fairs and the Committee on the Judiciary of the Senate
 3 and the Committee on Natural Resources and the Com-
 4 mittee on the Judiciary of the House of Representatives
 5 that includes—

6 (1) the results of the formal consultation de-
 7 scribed in subsection (b)(1);

8 (2) a description of the outstanding barriers In-
 9 dian Tribes face in acquiring full access to Federal
 10 databases and related national crime information
 11 systems; and

12 (3) the plan of action of the Department of
 13 Justice to—

14 (A) implement suggestions received from
 15 Indian Tribes through the consultation process;
 16 and

17 (B) resolve the outstanding barriers de-
 18 scribed under paragraph (2).

19 **SEC. 5. STANDARDIZED PROTOCOLS FOR RESPONDING TO**
 20 **CASES OF MISSING AND MURDERED INDIANS.**

21 (a) STANDARDIZED PROTOCOLS FOR MISSING AND
 22 MURDERED INDIANS.—

23 (1) IN GENERAL.—Not later than 90 days after
 24 the consultation process described in section 4(b)(1),
 25 the Attorney General, in cooperation with the Sec-

retary of the Interior and in consultation with Indian Tribes, shall—

(A) review existing (as of the date of the review) law enforcement and justice protocols appropriate to missing and murdered Indians; and

(B) recommend such existing protocols; revise such existing protocols, or develop new protocols, as necessary, to establish protocols to serve as guidelines for law enforcement agencies with respect to missing and murdered Indians.

(2) PUBLIC AVAILABILITY.—The Attorney General shall make the protocols under paragraph (1) publicly available and shall distribute them to law enforcement agencies.

(b) REQUIREMENTS.—The standardized protocols under subsection (a) shall include the following:

(1) Guidance on inter-jurisdictional cooperation among law enforcement agencies at the Tribal, Federal, State, and local levels.

(2) Standards on the collection, reporting, and analysis of data and information on missing persons and unidentified human remains appropriate to Indians, including standards on entering information to Federal databases on missing persons within a cer-

tain timeframe after receiving the missing persons report.

~~(3) Guidance on improving law enforcement response rates and follow-up to cases of missing and murdered Indians.~~

~~(4) Methods to ensure access to victim services for Indian victims and their families.~~

~~(c) DIRECTIONS TO UNITED STATES ATTORNEYS.—~~

~~(1) DIRECTIONS.—Not later than 240 days after the date of enactment of this Act, the Attorney General shall direct United States attorneys with jurisdiction to prosecute crimes in Indian country under sections 1152 and 1153 of title 18, United States Code, to develop written standard protocols to investigate cases of missing and murdered Indians that—~~

~~(A) are guided by the standardized protocols under subsection (a);~~

~~(B) are developed in consultation with Indian Tribes and other Federal partners, including—~~

~~(i) the Federal Bureau of Investigation;~~

~~(ii) the Department of the Interior;~~

~~(iii) the Bureau of Indian Affairs; and~~

1 (iv) the Indian Health Service;

2 (C) detail specific responsibilities of each
3 Federal partner; and

4 (D) shall be implemented not later than 60
5 days after the direction is issued.

6 ~~(2) ADDITIONAL DIRECTIONS.—~~Not later than
7 240 days after the date of enactment of this Act, the
8 Attorney General shall direct United States attor-
9 neys with jurisdiction to prosecute crimes in Indian
10 Country from an authority other than section 1152
11 or 1153 of title 18, United States Code, to discuss
12 the Federal response to cases of missing and mur-
13 dered Indians with their Tribal partners and Federal
14 partners as appropriate during annual consultations.

15 ~~(d) TRAINING AND TECHNICAL ASSISTANCE.—~~The
16 Attorney General shall provide Indian Tribes and law en-
17 forcement agencies with training and technical assistance
18 relating to the development and implementation of the law
19 enforcement and justice protocols of the Indian Tribes and
20 agencies, respectively, in accordance with the standardized
21 protocols under subsection (a).

22 ~~(e) COMPLIANCE.—~~Not later than 18 months after
23 the date of enactment of this Act, Federal law enforce-
24 ment agencies with jurisdiction to investigate and pros-
25 ecute crimes relating to missing and murdered Indians

1 shall modify the law enforcement and justice protocols of
 2 the agency to satisfactorily comply with the standardized
 3 protocols under subsection (a).

4 **SEC. 6. ANNUAL REPORTING REQUIREMENTS.**

5 (a) Beginning in the first fiscal year after the date
 6 of enactment of this Act, and annually thereafter, the At-
 7 torney General and the Secretary of the Interior shall
 8 jointly prepare and submit a report, to the Committee on
 9 Indian Affairs and the Committee on the Judiciary of the
 10 Senate and the Committee on Natural Resources and the
 11 Committee on the Judiciary of the House of Representa-
 12 tives, that—

13 (1) includes known statistics on missing and
 14 murdered Indian women in the United States;

15 (2) provides recommendations regarding how to
 16 improve data collection on missing and murdered In-
 17 dian women; and

18 (3) includes information relevant to the imple-
 19 mentation of the standardized protocols developed
 20 under section 5(a).

21 **SECTION 1. SHORT TITLE.**

22 *This Act may be cited as “Savanna’s Act”.*

23 **SEC. 2. FINDINGS AND PURPOSES.**

24 (a) *FINDINGS.—Congress finds the following:*

1 (1) *On some reservations, Indian women are*
2 *murdered at more than 10 times the national average.*

3 (2) *American Indians and Alaska Natives are*
4 *2.5 times as likely to experience violent crimes—and*
5 *at least 2 times more likely to experience rape or sex-*
6 *ual assault crimes—compared to all other races ac-*
7 *ording to the National Congress of American Indi-*
8 *ans.*

9 (3) *More than 4 in 5 American Indian and*
10 *Alaska Native women, or 84.3 percent, have experi-*
11 *enced violence in their lifetime according to the Na-*
12 *tional Institute of Justice.*

13 (4) *More than 4 in 5 American Indian and*
14 *Alaska Native men, or 81.6 percent, have experienced*
15 *violence in their lifetime according to the National*
16 *Institute of Justice.*

17 (5) *According to the Centers for Disease Control*
18 *and Prevention, homicide is the third leading cause*
19 *of death among American Indian and Alaska Native*
20 *women between 10 and 24 years of age and the fifth*
21 *leading cause of death for American Indian and Alas-*
22 *ka Native women between 25 and 34 years of age.*

23 (6) *Investigation into cases of missing and mur-*
24 *dered Indian women is made difficult for Tribal law*

1 *enforcement agencies due to a lack of resources, such*
 2 *as—*

3 *(A) necessary training, equipment, or fund-*
 4 *ing;*

5 *(B) a lack of interagency cooperation; and*

6 *(C) a lack of appropriate laws in place.*

7 *(7) The complicated jurisdictional scheme that*
 8 *exists in Indian country—*

9 *(A) has a significant negative impact on the*
 10 *ability to provide public safety to Indian com-*
 11 *munities;*

12 *(B) has been increasingly exploited by*
 13 *criminals; and*

14 *(C) requires a high degree of commitment*
 15 *and cooperation among Tribal, Federal, and*
 16 *State law enforcement officials.*

17 *(b) PURPOSES.—The purposes of this Act are—*

18 *(1) to clarify the responsibilities of Federal,*
 19 *State, Tribal, and local law enforcement agencies*
 20 *with respect to responding to cases of missing and*
 21 *murdered Indians;*

22 *(2) to increase coordination and communication*
 23 *among Federal, State, Tribal, and local law enforce-*
 24 *ment agencies, including medical examiner and cor-*
 25 *oner offices;*

- 1 (3) *to empower Tribal governments with the re-*
 2 *sources and information necessary to effectively re-*
 3 *pond to cases of missing and murdered Indians; and*
 4 (4) *to increase the collection of data related to*
 5 *missing and murdered Indian men and women and*
 6 *the sharing of information among Federal, State, and*
 7 *Tribal officials responsible for responding to and in-*
 8 *vestigating cases of missing and murdered Indians.*

9 **SEC. 3. DEFINITIONS.**

10 *In this Act:*

11 (1) *DATABASES.—The term “databases”*
 12 *means—*

13 (A) *the National Crime Information Center*
 14 *database;*

15 (B) *the Combined DNA Index System;*

16 (C) *the Next Generation Identification Sys-*
 17 *tem; and*

18 (D) *any other database relevant to respond-*
 19 *ing to cases of missing and murdered Indians,*
 20 *including that under the Violent Criminal Ap-*
 21 *prehension Program and the National Missing*
 22 *and Unidentified Persons System.*

23 (2) *INDIAN.—The term “Indian” means a mem-*
 24 *ber of an Indian Tribe.*

1 (3) *INDIAN COUNTRY.*—The term “Indian coun-
 2 try” has the meaning given the term in section 1151
 3 of title 18, United States Code.

4 (4) *INDIAN LAND.*—The term “Indian land”
 5 means—

6 (A) *Indian lands, as defined in section 3 of*
 7 *the Native American Business Development,*
 8 *Trade Promotion, and Tourism Act of 2000 (25*
 9 *U.S.C. 4302); and*

10 (B) *land owned by a Regional Corporation*
 11 *or Village Corporation, as such terms are defined*
 12 *in section 3 of the Alaska Native Claims Settle-*
 13 *ment Act (43 U.S.C. 1602).*

14 (5) *INDIAN TRIBE.*—The term “Indian Tribe”
 15 has the meaning given the term “Indian tribe” in sec-
 16 tion 4 of the Indian Self-Determination and Edu-
 17 cation Assistance Act (25 U.S.C. 5304).

18 (6) *LAW ENFORCEMENT AGENCY.*—The term
 19 “law enforcement agency” means a Tribal, Federal,
 20 State, or local law enforcement agency.

21 **SEC. 4. IMPROVING TRIBAL ACCESS TO DATABASES.**

22 (a) *TRIBAL ENROLLMENT INFORMATION.*—The Attor-
 23 ney General shall provide training to law enforcement agen-
 24 cies regarding how to record the Tribal enrollment informa-

1 *tion or affiliation, as appropriate, of a victim in Federal*
 2 *databases.*

3 *(b) CONSULTATION.—*

4 *(1) CONSULTATION.—Not later than 180 days*
 5 *after the date of enactment of this Act, the Attorney*
 6 *General, in cooperation with the Secretary of the In-*
 7 *terior, shall complete a formal consultation with In-*
 8 *dian Tribes on how to further improve Tribal data*
 9 *relevance and access to databases.*

10 *(2) ANNUAL CONSULTATION.—Section 903(b) of*
 11 *the Violence Against Women and Department of Jus-*
 12 *tice Reauthorization Act of 2005 (34 U.S.C. 20126)*
 13 *is amended—*

14 *(A) by striking paragraph (2) and inserting*
 15 *the following:*

16 *“(2) enhancing the safety of Indian women from*
 17 *domestic violence, dating violence, sexual assault,*
 18 *homicide, stalking, and sex trafficking;”;*

19 *(B) in paragraph (3), by striking the period*
 20 *at the end and inserting “; and”; and*

21 *(C) by adding at the end the following:*

22 *“(4) improving access to local, regional, State,*
 23 *and Federal crime information databases and crimi-*
 24 *nal justice information systems.”.*

1 (c) *NOTIFICATION.*—Not later than 180 days after the
2 date of enactment of this Act, the Attorney General shall—

3 (1) *develop and implement a dissemination*
4 *strategy to notify United States citizens of the Na-*
5 *tional Missing and Unidentified Persons System; and*

6 (2) *conduct specific outreach to Indian Tribes re-*
7 *garding the ability to publicly enter information,*
8 *through the National Missing and Unidentified Per-*
9 *sons System or other non-law enforcement sensitive*
10 *portal, regarding missing persons, which may include*
11 *family members and other known acquaintances.*

12 **SEC. 5. GUIDELINES FOR RESPONDING TO CASES OF MISS-**
13 **ING AND MURDERED INDIANS.**

14 (a) *IN GENERAL.*—Not later than 180 days after the
15 date on which the consultation described in section 4(b)(1)
16 is completed, the Attorney General shall direct United
17 States attorneys with jurisdiction to prosecute crimes in In-
18 dian country under sections 1152 and 1153 of title 18,
19 United States Code, or any other provision of law, as part
20 of the annual consultations on sexual violence by United
21 States attorneys with Indian Tribes and Federal partners,
22 to develop guidelines to respond to cases of missing and
23 murdered Indians that shall include—

24 (1) *guidelines on inter-jurisdictional cooperation*
25 *among law enforcement agencies at the Tribal, Fed-*

1 *eral, State, and local levels, including inter-jurisdic-*
 2 *tional enforcement of protection orders and detailing*
 3 *specific responsibilities of each law enforcement agen-*
 4 *cy;*

5 *(2) best practices in conducting searches for*
 6 *missing persons on Indian land;*

7 *(3) standards on the collection, reporting, and*
 8 *analysis of data and information on missing persons*
 9 *and unidentified human remains, and information on*
 10 *culturally appropriate identification and handling of*
 11 *human remains identified as Indian, including guid-*
 12 *ance stating that all appropriate information related*
 13 *to missing and murdered Indians be entered in a*
 14 *timely manner into applicable databases;*

15 *(4) guidance on which law enforcement agency is*
 16 *responsible for inputting information into appro-*
 17 *priate databases under paragraph (3) if the Tribal*
 18 *law enforcement agency does not have access to those*
 19 *appropriate databases;*

20 *(5) guidelines on improving law enforcement*
 21 *agency response rates and follow-up responses to cases*
 22 *of missing and murdered Indians; and*

23 *(6) guidelines on ensuring access to culturally*
 24 *appropriate victim services for victims and their fam-*
 25 *ilies.*

1 (b) *CONSULTATION.*—*United States attorneys shall de-*
 2 *velop the guidelines required under subsection (a) in con-*
 3 *sultation with Indian Tribes and other Federal partners,*
 4 *including—*

5 (1) *the Department of Justice;*

6 (2) *the Federal Bureau of Investigation;*

7 (3) *the Bureau of Indian Affairs;*

8 (4) *Tribal, State, and local law enforcement*
 9 *agencies;*

10 (5) *medical examiners;*

11 (6) *coroners; and*

12 (7) *Tribal, State, and local organizations that*
 13 *provide victim services.*

14 (c) *COMPLIANCE.*—

15 (1) *IN GENERAL.*—*Not later than 60 days after*
 16 *the next sexual violence response annual consultation*
 17 *occurs in each region after the date of enactment of*
 18 *this Act, the United States attorneys shall modify the*
 19 *sexual violence response guidelines to incorporate the*
 20 *guidelines developed under subsection (a) and imple-*
 21 *ment such modified guidelines.*

22 (2) *MODIFICATION.*—*Each Federal law enforce-*
 23 *ment agency shall modify the guidelines, policies, and*
 24 *protocols of the agency to incorporate the guidelines*
 25 *developed under subsection (a).*

1 (3) *DETERMINATION.*—Not later than the end of
2 each fiscal year beginning after the date the guide-
3 lines are established under this section and incor-
4 porated under this subsection, the Attorney General
5 shall determine whether each Tribal, State, and local
6 law enforcement agency has incorporated guidelines
7 into their respective guidelines, policies, and proto-
8 cols.

9 (4) *PREFERENCE.*—For each of fiscal years 2019
10 through 2023, for the fiscal year in which a grant
11 was solicited, the Attorney General shall give affirma-
12 tive preference to all National Institute of Justice and
13 Office for Victims of Crime discretionary grant appli-
14 cations of a Tribal, State, or local law enforcement
15 agency, or applications submitted on behalf of such
16 law enforcement agencies by a local, State, or Tribal
17 government, if the Attorney General has determined
18 under paragraph (3) that the agency has incorporated
19 the guidelines.

20 (d) *ACCOUNTABILITY.*—Not later than 30 days after
21 compliance determinations are made each fiscal year in ac-
22 cordance with subsection (c)(3), the Attorney General
23 shall—

24 (1) disclose and publish, including on the website
25 of the Department of Justice, the name of each Tribal,

1 *State, or local law enforcement agency that the Attor-*
 2 *ney General has determined has not incorporated*
 3 *guidelines in accordance with subsection (c)(3); and*

4 *(2) if a law enforcement agency described in*
 5 *paragraph (1) subsequently receives a determination*
 6 *of compliance, the Attorney General shall—*

7 *(A) immediately correct the applicable*
 8 *record; and*

9 *(B) not later than 3 days after the deter-*
 10 *mination, remove the record from the website of*
 11 *the Department of Justice and any other loca-*
 12 *tion where the record was published.*

13 *(e) TRAINING AND TECHNICAL ASSISTANCE.—The At-*
 14 *torney General shall use the National Indian Country*
 15 *Training Initiative to provide training and technical as-*
 16 *sistance to Indian Tribes and law enforcement agencies*
 17 *on—*

18 *(1) implementing the guidelines developed under*
 19 *subsection (a) or developing and implementing locally*
 20 *specific guidelines or protocols for responding to cases*
 21 *of missing and murdered Indians; and*

22 *(2) using the National Missing and Unidentified*
 23 *Persons System and accessing program services that*
 24 *will assist Indian Tribes with responding to cases of*
 25 *missing and murdered Indians.*

1 **SEC. 6. ANNUAL REPORTING REQUIREMENTS.**

2 (a) *ANNUAL REPORTING.*—Beginning in the first fis-
3 cal year after the date of enactment of this Act, the Attorney
4 General shall include in its annual Indian Country Inves-
5 tigations and Prosecutions report to Congress information
6 that—

7 (1) includes known statistics on missing Indians
8 in the United States, available to the Department of
9 Justice, including—

10 (A) age;

11 (B) gender;

12 (C) Tribal enrollment information or affili-
13 ation, if available;

14 (D) the current number of open cases per
15 State;

16 (E) the total number of closed cases per
17 State each calendar year, from the most recent
18 10 calendar years; and

19 (F) other relevant information the Attorney
20 General determines is appropriate;

21 (2) includes known statistics on murdered Indi-
22 ans in the United States, available to the Department
23 of Justice, including—

24 (A) age;

25 (B) gender;

1 (C) Tribal enrollment information or affili-
2 ation, if available;

3 (D) the current number of open cases per
4 State;

5 (E) the total number of closed cases per
6 State each calendar year, from the most recent
7 10 calendar years; and

8 (F) other relevant information the Attorney
9 General determines is appropriate;

10 (3) maintains victim privacy to the greatest ex-
11 tent possible by excluding information that can be
12 used on its own or with other information to identify,
13 contact, or locate a single person, or to identify an
14 individual in context; and

15 (4) includes—

16 (A) an explanation of why the statistics de-
17 scribed in paragraph (1) may not be comprehen-
18 sive; and

19 (B) recommendations on how data collec-
20 tion on missing and murdered Indians may be
21 improved.

22 (b) COMPLIANCE.—

23 (1) IN GENERAL.—Beginning in the first fiscal
24 year after the date of enactment of this Act, and an-
25 nually thereafter, for the purpose of compiling accu-

1 rate data for the annual report required under sub-
2 section (a), the Attorney General shall request all
3 Tribal, State, and local law enforcement agencies to
4 submit to the Department of Justice, to the fullest ex-
5 tent possible, all relevant information required, as de-
6 termined by the Attorney General.

7 (2) *DISCLOSURE.*—The Attorney General shall
8 disclose and publish annually, including on the
9 website of the Department of Justice, the name of each
10 Tribal, State, or local law enforcement agency that
11 the Attorney General has determined has not sub-
12 mitted the information requested under paragraph (1)
13 for the fiscal year in which the report was published.

14 (3) *PREFERENCE.*—For each of fiscal years 2019
15 through 2023, for the fiscal year in which a grant
16 was solicited, the Attorney General shall give affirma-
17 tive preference to all Department of Justice discre-
18 tionary grant applications of a Tribal, State, or local
19 law enforcement agency, or applications submitted on
20 behalf of such law enforcement agencies by a local,
21 State, or Tribal government, that would aid in the
22 implementation of the guidelines developed under sec-
23 tion 5 or help address the issue of missing and mur-
24 dered Indians, if the Attorney General has determined
25 the agency has submitted the information requested

1 *under paragraph (1) for the fiscal year in which the*
2 *report was published.*

3 *(c) INCLUSION OF GENDER IN MISSING AND UNIDEN-*
4 *TIFIED PERSONS STATISTICS.—Beginning in the first cal-*
5 *endar year after the date of enactment of this Act, and an-*
6 *nually thereafter, the Federal Bureau of Investigation shall*
7 *include gender in its annual statistics on missing and un-*
8 *identified persons published on its public website.*

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DECEMBER 4, 2018

Reported with an amendment